

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with George Likourezos, Reg. No. 40,067 on 1/27/2010.

The Abstract has been amended, as follows:

ABSTRACT

Using the attribute "priority" to achieve a stronger Forward Error Correction (FEC) for Radio Link Control (RLC) Control Protocol Data Units (PDUs) transmitted via the High Speed Downlink Shared Channel (HS-DSCH) also entails prioritized handling so that an RLC Control PDU is likely to overhaul an RLC Data PDU. As a consequence the RLC protocol operation can severely be disturbed, since it relies on in-sequence delivery of control and data PDUs. According to an exemplary embodiment of the present invention, two types of containers are provided in which data packets may be transmitted, wherein the first type of container is provided with a stronger error coding than the second type of container and wherein data packets which comprise control instructions are only transmitted in the first container type with the stronger error correction. Due to this, an improved forward error correction for control PDUs of the AM RLC protocol of Universal Mobile Telecommunications System (UMTS) may be provided.

Allowable Subject Matter

2. After further search and thorough examination of the present application and in view of the prior art of record, claims 2-13 are found to be in condition for allowance.

Reason for Allowance

3. The following is an examiner's statement of reasons for allowance: The present invention relates to the field of data transmission where data packets are transmitted from a transmitting station to a receiving station or exchanged between both.

To achieve the inventive goal, independent claim 2 identifies the distinct features "providing the first container with a first error coding; wherein a second container comprises at least one second data packet and no first data packet; and providing the second container with a second error coding; wherein the first error coding is stronger than the second error coding;-wherein the number of first and second data packets in the first container is smaller than the number of second data packets in the second container such that a first data payload transmitted in the first container is lower than a second data payload transmitted in the second container."

Independent claims 10, 11 and 12 identify the distinct features "means for providing the first container with a first error coding; wherein a second container comprises at least one second data packet and no first data packet; and means for providing the second container with a second error coding; and wherein the first error coding is stronger than the second error coding; wherein the number of first and second data packets in the first container is smaller than the number of second data packets in the

second container such that a first data payload transmitted in the first container is lower than a second data payload transmitted in the second container.”

Independent claim 13 includes similar limitations of independent claim 12; therefore, it is allowed for similar reasons.

Dependent claims 3-8 depend from allowable independent claim 2 and inherently include limitations therein; therefore, they are allowed as well.

The first cited reference, Malkamaki (U.S. Pat. No. 7,310,336) discloses a hybrid Automatic repeat request system which includes some features of the claims in this instant application. The second cited reference, Ramanujam (U.S. at. No. 6,622,277) discloses a concatenated forward error correction decoder.

However, many specific features disclosed in the instant application (No. 10/578,655) are neither anticipated nor render obvious by the prior art of record. Furthermore, the prior arts of record, taken singly or in combination, fail to teach, anticipate, suggest, or render obvious the foregoing limitations.

These limitations, in conjunction with all other limitations of the base claims were not shown by, would not have been obvious over, would not have been fairly suggested by the prior art of record.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled “Comments on Statement of Reasons for Allowance.”

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Fritz Alphonse, whose telephone number is (571) 272-3813. The examiner can normally be reached on M-F, 8:30-6:00, Alt. Mondays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Baderman, can be reached at (571) 272-3644.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-3824

Information regarding the status of an application may also be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Fritz Alphonse/

Primary Examiner, Art Unit 2112